

REMARKS

This application has been carefully reviewed in light of the Office Action dated July 14, 2004. Claims 1, 3, 5-7, 9-14, and 16-19 are in the application, with claims 1, 3, 5, 12, and 18 being the independent claims. Claims 1, 3, 5, 12, and 18 have been amended. Favorable reconsideration and allowance are respectfully requested.

Claims 1, 3, 5-7, 9-14 and 16-19 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,330,022 (Seligmann) in view of U.S. Patent No. 6,025,870 (Hardy) and U.S. Patent No. 6,195,104 (Lyons). This rejection is respectfully traversed.

An aspect of the present invention as set forth in claim 1 is directed to a control method for a home office system that includes user terminal devices each of which includes a display device. According to the method, a virtual space is provided on a display device for each user of the user terminal devices. A physical condition of a user is monitored based on an image of the user picked up by a camera. A display of virtual space of the user is automatically changed on each display device to a display of a virtual space for rest when it is determined that the user should take a rest, based on a result that the user continuously looked toward the display device for a period longer than a predetermined time. This allows the user to informally communicate with other users present in a common virtual space for rest.

As recited in claim 1, the displayed virtual space of the user is changed automatically to a display of a virtual space for rest, when it is determined that the user should take a rest. And in accordance with a salient aspect of the present invention, that determination is made based on a result that the user continuously looked toward the display device for a period longer than a predetermined time. That feature is neither taught nor suggested by the prior art.

Seligmann, the primary reference, relates to a video conferencing system. The Office Action concedes that Seligmann does not disclose automatically changing the display of a

certain virtual space to a display of a virtual space for rest on the basis of the result in a monitoring step, and concedes that Seligmann does not teach automatically changing the displayed virtual space of the user based on the physical condition of the user that is based on an image of the user picked up by the camera, but contends that those features are taught by Hardy and Lyon. Applicants respectfully disagree, and furthermore respectfully submit that neither Hardy nor Lyon teach anything close to the feature of changing a display based on a result that the user continuously looked toward the display device for a period longer than a predetermined time, as is now recited expressly in claim 1.

More specifically, Hardy discloses a switch 30 for switching from local video information to remote video information and back again, as follows:

Video switch 30 selects from among the local and remote video information under control of the video select control information received from record controller 62. The video select control information provided by record controller 62 depends various notifications include talk/listen notifications received from audio processor 70, the graphical information provided by slide application 64, and other notifications from user interface 65 such as select camera and/or go to camera preset notifications to allow manual selection of the focus video information.

Col. 6: 34-45.

As can be seen, the switching may depend on several things, including talk/listen notifications received from an audio processor, graphical information provided by a slide application and a manual selection made by the user. But there is absolutely nothing in Hardy to teach or suggest controlling the switch based on a result that the user continuously looked towards the display device for a period longer than a predetermined time.

Lyons discloses a method for constructing three-dimensional images using camera-based gesture inputs of a system user. Using this methodology, the Lyons system can, for

example, purportedly allow a user to seemingly kick a graphical soccer ball, by responding to the direction and speed from which the user approached a display screen. The system can also be used to implement home shopping applications, telecommunications applications and gesture based remote control. But as is the case of Hardy, Lyons is completely devoid of any teaching of automatically changing a display, based upon a result that a user continuously looked toward the display device for a period longer than a predetermined time.

Accordingly, Applicants submit that claim 1 is patentable over the cited references and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a). Independent claims 3, 5, 12, and 18 include similar monitoring and control features and therefore are believed to be patentable for at least the reasons discussed above in connection with claim 1.


The remaining claims all depend from one of the independent claims discussed above, and each partakes in the novelty and non-obviousness of its respective base claim. In addition, each recites additional patentable features of the present invention, and individual reconsideration of each is respectfully requested.

CONCLUSION

This Amendment After Final Action is believed to place clearly this application in a condition for allowance, and passage to issue is earnestly solicited. At the very least, this Amendment is an earnest effort to advance prosecution and reduce the number of issues, and its entry is believed proper under 37 C.F.R. § 1.116.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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